

STATE OHIO

)

COURT OF COMMON PLEAS
CRIMINAL DIVISION

)

COUNTY OF CUYAHOGA

)

SEARCH WARRANT

TO: THE CHIEF OF POLICE OF THE BEDMINSTER POLICE DEPARTMENT, STATE OF NEW JERSEY; CHIEF OF POLICE OF THE CLEVELAND POLICE DEPARTMENT AND/OR DETECTIVE RAUL ATANACIO, BADGE #1652, A MEMBER OF SAID DEPARTMENT, AND/OR ANY LAW ENFORCEMENT OFFICERS AS AUTHORIZED.

WHEREAS there has been filed with me an affidavit, a copy of which is attached hereto, designated as Exhibit A, and incorporated herein as though fully rewritten, wherein the Affiant avers that he believes and has probable cause to believe that within the following Verizon Wireless ("Verizon") cellular telephone accounts: **310-623-7867**, Verizon being a cellular telephone and data company (or electronic communications service) with a business address of 180 Washington Valley Road, Bedminster, NJ, 07921, and which also has business addresses in Cuyahoga County, Ohio, and that within Verizon, there is now being kept or concealed or possessed the following: and possessed the following evidence of a criminal offense:

(1) Subscriber information for the cellular telephone number **310-623-7867**, the wireless service provided by Verizon, and

(2) Any and all records of user activity from 12:01 AM EST December 1, 2017 through 11:59 PM EST December 3, 2017, for the cellular telephone number **310-623-7867**, the wireless service is provided by Verizon. The information requested includes but is not limited to: all incoming and outgoing text message logs including texts, e-mail, picture messaging; all incoming and outgoing voice calls; all Global Positioning Satellite ("GPS") location history; all cellular towers; and/or site address and/or site address and/or locations where connections were made and ended; all data transfer volumes, all telephone caller identification, and any other records related to the above referenced account number and telephone number including without limitation correspondence, billing records, records of contacts by any person or entity; and

(3) Any and all cell site / GPS data, including idle mode triangulation for call routing information, for the phone number **310-623-7867** related to incoming/outgoing phone calls and text messages from 12:01 AM EST December 1, 2017 through 11:59 PM EST December 3, 2017. The information requested includes but is not limited to: Cell Site Activations; Cell Site Towers, All incoming/outgoing calls, with numbers dialed; Call durations; Text Messaging data/Incoming and Outgoing messages, with content; Subscriber, ESN/MEID/IMSI/IMEI and billing information and cell tower locations for any other cellular/wireless telephones on this account or that may be identified from these records; An engineering map showing all cell-site tower locations/addresses, sectors and orientations; The physical address/location of all cellular towers in the specified market; That upon request the

telecommunications provider for these cellular/wireless numbers provide 24 hour a day switch based engineering and technical assistance; Records and assistance requested in this order; That this order shall cover, and be applied, to any cellular/wireless telephone MIN/ESN that the subscribers of the phone covered by this order, may change service to for the duration of this order; That the call detail records be provided in electronic format; Provide a list of channels/radio channels and their corresponding cell sites; That the provider, at the request of the Affiant, switch either cellular towers by geographic area of coverage or specified cellular/wireless telephone from digital or GSM to analog service; Signal strength relative to towers used to process calls, messages, or data; The new number should the subscriber changes numbers on account; Any other numbers, MDNs, on this account; Customer Account Notes; Per Call Measurement Data (PCMD) report; Real-Time Tool (RTT) Report; Network Event Location System (NELOS) Report; a Certification of Business Records for all records submitted in compliance with this Order; and any other information that tends to establish a violation of the laws of the State of Ohio, to-wit: R.C. 2907.04, Unlawful Sexual Conduct with a Minor.

I am satisfied that there is probable cause to believe that the above described electronic data for the above specified cellular phone number is being maintained by the above-described wireless service provider, Verizon, 180 Washington Valley Road, Bedminster, NJ, 07921, and that grounds for issuance of this search warrant exist.

THEREFORE: Pursuant to 18 USC 2703 and/or the Laws of the State of Ohio you are hereby commanded in the name of the State of Ohio, with the necessary and proper assistance, to serve this warrant upon Verizon Wireless ("Verizon"), 180 Washington Valley Road, Bedminster, NJ, 07921, within three days of the date hereof, for the information specified, and if the property or any part thereof be found there, the wireless service provider is commanded to seize it and provide the information to Detective Atanacio at ratanacio@city.cleveland.oh.us and not disclose the existence of this warrant or any court order to any persons unless ordered by the court.

The Court also specifically directs wireless service provider Verizon to provide records and assistance requested in this order; That this order shall cover, and be applied, to any cellular/wireless telephone MIN/ESN that the subscribers of the phone covered by this order, may change service to for the duration of this order; That the call detail records be provided in electronic format; That the wireless service provided provide a list of channels/radio channels and their corresponding cell sites; That the provider, at the request of the Affiant, switch either cellular towers by geographic area of coverage or specified cellular/wireless telephone from digital or GSM to analog service; The Provider for this cellular numbers and re-sellers not terminate or restrict service-if subscriber changes numbers on account or changes handsets with a different ESN for the duration of this order, that new number shall be provided and members

of CPD and/or ATF shall be notified; The Provider shall provide any other numbers, MDNs, on this account; That the wireless service provider provide a Certification of Business Records for all records submitted in compliance with this order.

Upon receiving the information requested, Detective Atanacio is ordered to return this warrant to the undersigned or any Judge of the Court of Common Pleas, and to bring the property found on such search forthwith before said Judge, or some other judge or magistrate of the county having cognizance thereof.

Given my hand this 23rd day of July, 2019.

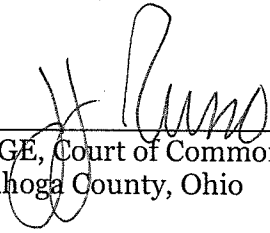
7/23/19
JUDGE, Court of Common Pleas
Cuyahoga County, Ohio

EXHIBIT A

STATE OF OHIO	)	COURT OF COMMON PLEAS
	)	SS: CRIMINAL DIVISION
COUNTY OF CUYAHOGA	)	

AFFIDAVIT FOR SEARCH WARRANT

Before me, a Judge of the Court of Common Pleas, Cuyahoga County, Ohio, personally appeared the undersigned Detective Raul Atanacio, Badge #1652, of the Cleveland Police Department, who being first duly sworn, deposes and states that he has been a member of the Cleveland Police Department for the past twelve years with the past fourteen months as a detective. Affiant is currently assigned to the Sex Crimes Unit. Affiant has training and experience in the investigation of major felonies including unlawful sexual conduct with a minor and has experience executing search warrants. Affiant has not always personally observed everything described below, but that which he did not personally observe was described to him by the other investigating officers and/or contained in their written reports.

Affiant avers that he believes and has probable cause to believe that within the following Verizon Wireless ("Verizon") cellular telephone accounts: **310-623-7867**, Verizon being a cellular telephone and data company (or electronic communications service) with a business address of 180 Washington Valley Road, Bedminster, NJ, 07921, and which also has business addresses in Cuyahoga County, Ohio, and that within Verizon, there is now being kept or concealed or possessed the following: and possessed the following evidence of a criminal offense:

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logs including texts, e-mail, picture messaging; all incoming and outgoing voice calls; all Global Positioning Satellite ("GPS") location history; all cellular towers; and/or site address and/or site address and/or locations where connections were made and ended; all data transfer volumes, all telephone caller identification, and any other records related to the above referenced account number and telephone number including without limitation correspondence, billing records, records of contacts by any person or entity; and

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The facts upon which affiant bases such beliefs are as follows:

1. Affiant avers that on October 24, 2018, Cleveland Police Department was contacted by the York Regional Police in Canada about a report of unlawful sexual conduct with a minor. Affiant avers that they completed an investigation involving [REDACTED] [REDACTED] and Jared Drake Bell (aka "Drake Bell"), dob 6/27/86. Bell was thirty-one years old at the time of the incident(s) described below.

2. Affiant avers that [CHI] resides in Canada along with many of the witnesses in this investigation and that Jared Drake Bell resides in California. Affiant avers that [CHI] made an initial disclosure to two juvenile friends and then to her parents who then notified the police.
3. Affiant avers that he reviewed the investigation and reports from the York Regional Police which included audio and video recordings of the various witnesses. Affiant avers that, according to the reports [CHIL] RAPE/SEXUAL INFO
RAPE/SEXUAL INFO
4. Affiant avers that Bell is a music performer. Affiant avers that [CHI] informed police that her [CHILD AB/NEG INFO] took her to Bell's concerts at different locations in the United States beginning in Syracuse, NY in 2016. Affiant avers that, according to the investigation, [CHILD] has a friend named Darlene Richards who is friends with Kathy Kautz who knows Bell's mother and that Richards was able to facilitate the meetings with [CHILD], and Bell.
5. Affiant avers that, according to [CHI], Bell sent her pictures of his bare stomach in 2016 and she exchanged pictures of herself. Affiant avers that, according to [CHI], some of the pictures included [CHI] in minimal clothing. Affiant avers that, according to [CHI] their "sexting" continued to escalate over time.
6. Affiant avers that in October 2017, [CHI] went with [CHILD] to see Bell perform in Chicago, Illinois. Affiant avers that according to [CHILD AB/NEG] was driving with Bell and [CHI] seated in the back seat. Affiant avers that [CHI] informed officers that Bell [RAPE/SEXUAL INFO]
RAPE/SEXUAL INFO
7. Affiant avers that on December 1, 2017, [CHI] went with [CHILD], Richards, and Kathy to a preshow at the Odeon Concert Club. At some point before the concert, Bell took [CHI] back to his dressing room [CHILD AB/NEG INFO] RAPE/SEXUAL INFO
RAPE/SEXUAL INFO [C] stated that she was backstage at the concert and that during an intermission Bell told her that he wanted to take her away from other people. According to [CHI], Bell took her back to his room at the Odeon Concert Club at the end of the show to get his guitar. While in the room, [CHIL] RAPE/SEXUAL INFO
RAPE/SEXUAL INFO
8. Affiant avers that on December 2, 2017, [CHILD] along with Darlene Richards, accompanied [CHI] to say goodbye to Bell at the Aloft Hotel in Cleveland, Ohio. Affiant avers that he learned that Bell was staying in room 626 at the hotel. According to [CHI] RAPE/SEXUAL INFO
RAPE/SEXUAL INFO while [CHILD] and Richards waited outside in the hallway of the hotel. According to [CHI], Bell [RAPE/SEXUAL INFO]
RAPE/SEXUAL INFO

9. Affiant avers that on December 2, 2017, Forcht told [CHI] she had a surprise for her. [CHILD] then presented [CH] with a 16th birthday card that contains a note and signature from Bell. Affiant avers that he has two photographs of the card. Affiant avers that [CHILD] birthday is [CHILD AB/NEG INFO] Affiant avers that the York Regional Police in Canada took possession of the birthday card as evidence which has since been delivered to Affiant. The birthday card is now in evidence with the Cleveland Police Department.
10. Affiant avers that [CHI] consented to the acts but afterwards felt that it was wrong as Bell was significantly older than her. [CHI] stated that the last time she saw Bell was in June 2018.
11. Affiant avers that he has spoken to [CH] over the phone regarding this investigation. Affiant avers that [CHI] provided **310-623-7867** as Drake Bell's telephone number and that she has had direct contact with Bell via this phone number. S.G. told Affiant she has communicated with Bell via phone calls and text messages at this number.
12. Affiant avers that [CHI] provided her Instagram accounts as [CHILD AB/NEG INFO] and [CHILD AB/NEG INFO]. Affiant avers that [CHI] stated that she spoke with Bell and Bell's girlfriend via Instagram. Affiant avers that [C] identified Bell's Instagram account at "drakebell." [CHIL] stated that she told Bell's girlfriend (Janet) about the sexual acts through Instagram. [CHI] stated that Janet was extremely upset and wanted to know if and when she [CHIL] was going to notify authorities and make a report.
13. Affiant avers that [CHI] stated she confronted Bell about the sexual acts. Bell stated that he was sorry and asked if they could continue to be friends. Bell also asked [CHI] "what can I do?" and "don't hate me." Bell noted that [CHI] "already told Janet" what happened. Bell did not specifically admit anything. Affiant avers that he has screenshot photographs of the Instagram messages that were taken of [CHIL] phone by the York Regional Police. Affiant avers that he has made a preservation request with Instagram for the above accounts and the case number is 2921774. Affiant avers he has obtained a separate search warrant regarding the Instagram account records.
14. Affiant avers that it is necessary to obtain the cell phone records for **310-623-7867** from 12:01am EST December 1, 2017 through 11:59pm EST December 3, 2017. S.G. stated that she communicated with Bell via phone during that time and that is the timeframe [CHI] and Bell were both in the Cleveland area. Affiant avers that it is necessary to obtain all subscriber information to confirm the account belongs to or is associated with Bell. Affiant avers that these records regarding data location and GPS information are also necessary to determine Bell's whereabouts during this time period.
15. Affiant avers that Affiant has probable cause to believe and does believe that the above-described evidence will be found within the above described Verizon account.
16. Affiant requests that if the schedule at Verizon Wireless requires the search to be conducted during the night hours, authority be granted for said search to be conducted at that time at the convenience of the Verizon Wireless staff.

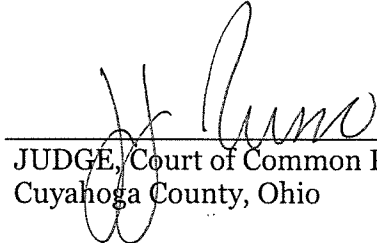
17. Affiant avers that it is also necessary that this Court direct Verizon not to disclose the issuance of this warrant or any and all records sought or obtained in order to protect the integrity of the ongoing investigation. Notification of the existence of this court order to the account holder may have an adverse result including impeding the ongoing criminal investigation and/or destruction of or tampering with evidence or otherwise seriously jeopardizing an investigation as set forth in 18 U.S.C. 2705(A)(2). Therefore, affiant requests that Verizon be ordered to delay notification of this warrant to the account holders unless ordered by this Court.

FURTHER AFFIANT SAYETH NAUGHT.

 1652

Detective Raul Atanacio
Cleveland Police Department

Sworn to before me and subscribed in my presence this 23rd day of July, 2019.

 7/23/19
JUDGE, Court of Common Pleas
Cuyahoga County, Ohio

Redaction Log

Total Number of Redactions in Document: 61

Redaction Reasons by Page

Page	Reason	Description	Occurrences
5	CHILD AB/NEG INFO	Identifying information of the child abuse/neglect victim(s) and the reporter(s) of the abuse/neglect; and the child abuse/neglect initial abuse report; have been redacted pursuant to O.R.C. 2151.421(I)(1) and (2); and Beacon Journal v. Akron, 104 Ohio St. 3d 399, 2004-Ohio-6557.	1
6	CHILD AB/NEG INFO	Identifying information of the child abuse/neglect victim(s) and the reporter(s) of the abuse/neglect; and the child abuse/neglect initial abuse report; have been redacted pursuant to O.R.C. 2151.421(I)(1) and (2); and Beacon Journal v. Akron, 104 Ohio St. 3d 399, 2004-Ohio-6557.	26
6	RAPE/SEXUAL INFO	The intimate details of an alleged rape and/or private sexual information have been redacted pursuant to Bloch v. Ribar, 156 F.3d 673 (1998), and Lambert v. Hartman, 517 F.3d 433 (2008).	12
7	CHILD AB/NEG INFO	Identifying information of the child abuse/neglect victim(s) and the reporter(s) of the abuse/neglect; and the child abuse/neglect initial abuse report; have been redacted pursuant to O.R.C. 2151.421(I)(1) and (2); and Beacon Journal v. Akron, 104 Ohio St. 3d 399, 2004-Ohio-6557.	22

Redaction Log

Redaction Reasons by Exemption

Reason	Description	Pages (Count)
CHILD AB/NEG INFO	Identifying information of the child abuse/neglect victim(s) and the reporter(s) of the abuse/neglect; and the child abuse/neglect initial abuse report; have been redacted pursuant to O.R.C. 2151.421(I)(1) and (2); and Beacon Journal v. Akron, 104 Ohio St. 3d 399, 2004-Ohio-6557.	5(1) 6(26) 7(22)
RAPE/SEXUAL INFO	The intimate details of an alleged rape and/or private sexual information have been redacted pursuant to Bloch v. Ribar, 156 F.3d 673 (1998), and Lambert v. Hartman, 517 F.3d 433 (2008).	6(12)

Redaction Log

Total Number of Redactions in Document: 5

Redaction Reasons by Page

Page	Reason	Description	Occurrences
5	CHILD AB/NEG INFO	Identifying information of the child abuse/neglect victim(s) and the reporter(s) of the abuse/neglect; and the child abuse/neglect initial abuse report; have been redacted pursuant to O.R.C. 2151.421(I)(1) and (2); and Beacon Journal v. Akron, 104 Ohio St. 3d 399, 2004-Ohio-6557.	2
6	CHILD AB/NEG INFO	Identifying information of the child abuse/neglect victim(s) and the reporter(s) of the abuse/neglect; and the child abuse/neglect initial abuse report; have been redacted pursuant to O.R.C. 2151.421(I)(1) and (2); and Beacon Journal v. Akron, 104 Ohio St. 3d 399, 2004-Ohio-6557.	2
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Redaction Log

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